

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/962,315	10/31/97	HOUSE	G 067183-0157

TM31/1019
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EXAMINER

AN, S

ART UNIT

PAPER NUMBER

2613

DATE MAILED:

10/19/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Advisory Action	Application No. 08/962,315	Applicant(s) Gregory House
	Examiner Shawn An	Group Art Unit 2613

THE PERIOD FOR RESPONSE: [check only a) or b)]

- a) expires six months from the mailing date of the final rejection.
- b) expires either three months from the mailing date of the final rejection, or on the mailing date of this Advisory Action, whichever is later. In no event, however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

Appellant's Brief is due two months from the date of the Notice of Appeal filed on _____ (or within any period for response set forth above, whichever is later). See 37 CFR 1.191(d) and 37 CFR 1.192(a).

Applicant's response to the final rejection, filed on Oct 2, 2000 has been considered with the following effect, but is NOT deemed to place the application in condition for allowance:

The proposed amendment(s):

- will be entered upon filing of a Notice of Appeal and an Appeal Brief.
- will not be entered because:
 - they raise new issues that would require further consideration and/or search. (See note below).
 - they raise the issue of new matter. (See note below).
 - they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - they present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE: _____

Applicant's response has overcome the following rejection(s):

Newly proposed or amended claims _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claims.

The affidavit, exhibit or request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See response to reconsideration.

The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

For purposes of Appeal, the status of the claims is as follows (see attached written explanation, if any):

Claims allowed: _____

Claims objected to: _____

Claims rejected: 2, 3, and 5-10

- The proposed drawing correction filed on _____ has has not been approved by the Examiner.
- Note the attached Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- Other


CHRIS S. KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700

Art Unit: 2613

Response to Reconsideration

1. Applicant's argument filed 10/02/00 as Paper 9 have been fully considered but they are not persuasive. The Applicant presents argument of which Subbarao's use of different apertures is not what is meant by "cameras... having different resolutions" in the context of the present invention. After careful scrutiny of Subbarao reference, the Examiner must respectfully disagree, and maintain the grounds of rejection for the reasons that follow.

The Examiner concurs the Applicant's notion that Subbarao's use of different apertures are for determining distance by checking the difference in focus between sub-images formed by two cameras along the same optical axis. However, the Examiner contends that different apertures are also directly related to resolution, in addition to the use of different apertures for determining distance. Furthermore, in order to support for an idea of different apertures being related to resolution, the following references are listed: Mammone (5,835,265) (see, Col. 2, lines 15-17); Stone (5,477,332) (see, Col. 9, lines 10-13); and Rabii (5,045,929) (see, Col. 14, lines 31-33). Even though Subbarao does not specifically disclose the different apertures being related to different resolution, it is clearly established in a camera art that the aperture is directly related to the resolution. Therefore, because the plural cameras in Subbarao have different apertures and different apertures are directly related to the camera resolution, Subbarao's plural camera having different resolution meets the recited claim as claimed.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number is (703) 305-0099.

gta
ssa

October 12, 2000


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